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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,710	10/20/1999	DANIEL S. VENOLIA	M61.12-0144	4522

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EXAMINER
ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/421,710	VENOLIA ET AL.	
	Examiner	Art Unit	
	Angela A. Armstrong	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09/25/2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 13-14, 17-21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al (US Patent No. 6,075,534) in view of Tannenbaum (US Patent No. 6,233,560) and Rozak (US Patent No. 5,864,815).

3. Regarding claims 1-3, 13-14, 17-21, and 29 VanBuskirk et al teaches

A minimal GUI for speech recognition in which the recognized text field and the system status visual user feedback component are combined together and can be displayed as embedded in the window of an application or can be a floating window at col. 1, lines 63-67, col. 5, lines 7-10 and col. 2, lines 60-63

Activating a microphone and displaying an indication that the microphone is active at col. 4, lines 42-51 and Figures 6 and 7

Variations in the volume of the user speech is displayed by a ribbon with fixed edge and movable edge to alter the shape and altering the color in response to variations in volume of the user speech (using speech signal value to determine coordinates of shape of display meter) at col. 2, lines 15-24.

Displaying the variations of the user speech with a moving ribbon or thermometer at col. 4, lines 26-32.

Although VanBuskirk et al teaches a floating window to provide a system status visual user feedback component, they do not specifically teach that the floating window should be placed near an insertion area. Refer to Tannenbaum who teach a method and apparatus for presenting proximal feedback of voice commands in which confirmation information is displayed on the screen at a location functionally related to the analyzed contents and context of the voice input (Abstract). Tannenbaum teaches that displaying the confirmation information at these areas of the screen avoids distractions associated with fixed location confirmation areas (Abstract).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition confirmation display system of VanBuskirk et al to implement displaying the visual feedback component on the screen in area related to the voice input, as taught by Tannenbaum, for the purpose of avoiding distractions associated with fixed location confirmation areas, as also taught by Tannenbaum.

VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Rozak who teach displaying speech recognition status information using graphical and textual feedback, wherein the feedback provided may indicate a state of processing of the audio input by the speech recognition system (abstract, col. 5, lines 48-50).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Rozak, for the purpose of providing the user

with information as to whether the audio input was received and processed, as suggested by Rozak (col. 1, lines 17-24).

Neither VanBuskirk, Tannenbaum nor Rozak specifically teach displaying a volume meter close to a progress meter. However, VanBuskirk et al teaches that the multiple function graphical user interface should supply information is the smallest space possible (col. 3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to display the volume meter close to the audio processing progress meter for the purpose of using the smallest space possible when implementing the graphical user interface, as suggested by VanBuskirk et al.

4. Claims 4-16, 20, 22-28, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al, Tannenbaum and Rozak in view of French-St. George et al (US Patent No. 6,018,711).

5. Regarding claims 4-12, 22-28, and 30-33, although VanBuskirk et al teach a shape that changes size and color based on the variations of the speech signal volume, neither VanBuskirk Tannenbaum, or Rozak specifically teach a mathematical function or relationship that governs the rate of change of the graphic display. French–St. George et al teaches animated graphical output in which the rate at which the animation diminishes in size is a linear function (abstract; col. 6, lines 60-67; col. 7, lines 1-21;col. 8, lines 9-53), for the purpose of improving of user feedback and control of the speech interface (col.5, lines 32-36).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition graphical user interface of VanBuskirk to implement animated graphical output in which the rate at which the animation diminishes in size is a linear function, as taught by French-St. George et al, for the purpose of improving of user feedback and control of the speech interface, as also taught by French-St. George.

6. Regarding claims 15-16

VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Rozak who teach displaying speech recognition status information using graphical and textual feedback, wherein the feedback provided may indicate a state of processing of the audio input by the speech recognition system (abstract, col. 5, lines 48-50).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Rozak, for the purpose of providing the user with information as to whether the audio input was received and processed, as suggested by Rozak (col. 1, lines 17-24).

Response to Arguments

7. Applicant's arguments filed September 25, 2002 have been fully considered but they are not persuasive.

Regarding claims 1, 17, 21, and 29, applicant argues that the combination of VanBuskirk, Tannenbaum, and Rozak does not show a progress meter that quantitatively indicates the amount

of progress in decoding speech inputs. The Examiner disagrees, and argues that at col. 4, lines 26-32, VanBuskirk provides for a progress meter with a moving ribbon or thermometer type display to illustrate the volume level of the speech received in the speech recognition system, which reads on "progress meter that quantitatively indicates the amount" and Rozak teaches displaying speech recognition status information using graphical and textual feedback, wherein the feedback provided may indicate a state of processing of the audio input by the speech recognition system. Thus, the combination would teach a progress meter that quantitatively indicates the amount of progress in decoding speech inputs.

Regarding claims 9-11 and 13-16, applicant argues that the combination of VanBuskirk, Tannenbaum, Rozak, and French-St. George does not suggest the mathematical calculations of a ratio for determining the size of the feedback graphic. The Examiner disagrees and argues that French-St. George teaches animated graphical output in which the rate at which the animation diminishes in size is a linear or non-linear function with respect to the time available, thereby requiring some method of determining a ratio of time remaining or elapsed to total time allocated.

In response to applicant's argument that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Angela A. Armstrong
Examiner
Art Unit 2654

AAA
December 1, 2002

Vijay B Chawan 12/2/02
VIJAY CHAWAN
PRIMARY EXAMINER